

Notice of Allowability

Application No.

10/670,176

Examiner

Yewebdar T. Tadesse

Applicant(s)

WOOLLEY ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 07/18/2006.
2. ☒ The allowed claim(s) is/are 2 and 7-16.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 20060927.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Benjamin Hudson on 09/27/2006 and 09/28/2006.

2. The application has been amended as follows:

In the claims:

Cancel non-elected claims 1 and 3-6.

In claim 2, line 5; delete the word "adapted" after the word "chuck".

In claim 2, line 9; delete the word "adapted" after the word "mechanism".

In claim 2, line 9; insert the word "the" before the word "rotational".

In claim 2, line 10; insert the word "the" before the word "drive".

In claim 2, line 11; delete the word "adapted" after the word "controller".

In claim 7, line 7; insert the word "the" before the word "drive".

In claim 8, line 7; insert the phrase "to a chuck" between the words "connected" and "by".

In claim 8, line 8; delete the phrase "to the non circular closure".

In claim 8, line 9; insert the phrase "the non-circular closure" between the words "rotate" and "along".

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In claim 8, line 10; delete the word "adapted" after the word "mechanism".

In claim 8, line 11; insert the word "the" before the word "drive".

In claim 8, line 12; delete the word "adapted" after the word "controller".

In claim 12, lines 2-3; replace the phrase 'a rotational' with [the rotational].

In claim 12, line 3; replace the phrase "a chuck" with [the chuck].

In claim 12, line 3; replace the phrase "coupled with" with [the drive shaft is].

In claim 13, line 2-3; replace the phrase 'a rotational' with [the rotational].

In claim 14, line 2-3; replace the phrase 'a rotational' with [the rotational].

3. The following is an examiner's statement of reasons for allowance: as to claim 2, prior art of record does not disclose or reasonably suggest a closure sealant applicator machine for dispensing sealant to a periphery of non-circular closures comprising, among others, a chuck to hold the closure in a plane, a rotational motor directly connected by a drive shaft to the chuck and a translational mechanism to linearly move the chuck, the rotational motor and the drive shaft along at least one axis within the plane. With respect to claim 7, none of prior art discloses or reasonably suggests a closure sealant applicator machine for dispensing sealant to a periphery of non-circular closures comprising, among others, the periphery of the non-circular closure defining a plane, rotational means having a directly connected drive shaft defining an axis perpendicular to the plane and translational means for moving the non-circular closure and drive shaft at least one axis within the plane. As to claim 8-16, prior art of record does not disclose or reasonably suggest a closure sealant applicator machine for

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dispensing sealant to a periphery of non-circular closures comprising, among others, a rotational motor directly connected to a chuck by a drive shaft to rotate the non-circular closure perpendicular to the plane and a translational mechanism to linearly move the non-circular closure and the drive shaft along at least one axis within the plane.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yewebdar T. Tadesse whose telephone number is (571) 272-1238. The examiner can normally be reached on Monday-Friday 8:00 AM-4: 30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Fiorilla can be reached on (571) 272-1187. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


YTT